

**WATER AND SEWER
RULES AND REGULATIONS**

Adopted March 9, 2004

City of Brunswick
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SECTION I. GENERAL REQUIREMENTS

- A. These Regulations are authorized under the Annotated Code of Maryland, 9-716 (Environment) for the purpose of carrying out the intent and purpose of that section.
- B. The Mayor and Council shall have the right to determine what community facilities are interim or permanent; as to when the community facilities shall be installed, modified, enlarged, or abandoned; and may enter into contracts concerning how and by whom the proposed facilities shall be financed; and who shall connect to the community facilities.
- C. The Mayor and Council, at the request of a municipality, may provide water or sewer service to part or all of the municipality.
- D. The Mayor and Council shall determine the feasibility of a project, the manner in which service may be obtained, and the estimated cost of such service.
- E. Funds for the design, installation, etc. of water and sewer facilities shall be sufficient to cover all costs as determined by the Mayor and Council.
- F. If a project is to receive private funding, a Public Works Agreement must be signed with the Mayor and Council before the project can become part of the City Capital Improvements Program.
- G. All necessary funds, other than grants and water and sewer bonds, shall be guaranteed to the Mayor and Council prior to the initiation of each phase of a project.
- H. All community water and sewer facilities, excluding facilities owned and operated by Frederick County, shall be to the design and specifications of the City of Brunswick.
- I. All water and sewer facilities, public or private (excluding facilities owned by Frederick County), shall be inspected by the City of Brunswick.
- J. The City will not permit privately owned water or sewer systems.
- K. Developments that provide community water service are required to provide water storage for fire flow purposes according to the following schedule:
 - 1. Under 150 equivalent units; 500 GPM for a two-hour period.
 - 2. 150-399 equivalent dwelling units; 750 GPM for a two hour period.
 - 3. 400 or more equivalent units; 1,250 GPM for a two-hour period.

SECTION II. DEFINITIONS

A. For the purposes of these Rules and Regulations, the following words and phrases shall have the meanings respectively ascribed to them by this section:

1. Applicant or Developer - A person, persons, partnerships, firms, corporations or cooperative enterprises, and their successors and assigns in chain of title, making application to the Mayor and Council for the provision of community water and/or sewerage system facilities.
2. Building Sewer - That part of the drainage system which extends from the end of the building drain and conveys its discharge to City of Brunswick-owned sewer system.
3. Building Water Service - The pipe from the City of Brunswick-owned water main or other water distribution system of the building served.
4. Capital Expenditures - The costs for providing a new community system, improvements to an existing community system, or acquisition of an existing system.
5. Classification - All land within a service area is classified into one of four types, namely: open space, lots of record, industrial or business (commercial), and residential. These main classifications may be further subdivided.
6. Connection Charge - A charge that is established by the Mayor and Council and must be paid by the intended user prior to utilization of the community system(s). The funds derived from these charges may be used for payment of principal and interest on bonds, accumulating funds for Capital Improvements, for acquisition of water and sewerage systems and the operation and maintenance thereof and for the purchase of equipment and supplies necessary to the operation. Also known as "tap fee", "hook-up charge" or ready-to-serve charge".
7. Cost - Cost as applied to water and/or sewerage systems may include any or all of the following: The cost of constructing any such system, the cost of improvements, the cost of all lands, properties, rights, easements, franchises and permits acquired, the cost of all machinery and equipment, financing charges, bond issue, expenses, interest on bonds prior to and during initial construction or during construction of improvements; and for not more than one year after completion of construction, the cost of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenue, other expense necessary or incident to the determining of the feasibility or productivity of any such improvements or construction, actual administrative expenses attributable to the particular system indicated in the application and as may be necessary or incident to the financing authorized, to the improvement or construction of the system, and

the placing of the same in operation. Any obligation or expense incurred by the City prior to the issuance of any bonds for engineering studies, estimates of cost and revenue, and for other technical or professional services, may be regarded as part of the cost of any such system.

8. Department – City of Brunswick Department of Public Works and City Engineer.
9. Development Area - The area owned or controlled by the applicant in which the sewer and/or water system is to be installed, and which is the subject of an application for service.
10. Drainage Area - The area as designated in the latest revision of the County Water and Sewer Plan in which the property is located, which is the subject of an application for service.
11. Dwelling Unit – A building or portion thereof occupied or intended to be occupied exclusively for residential purposes by one family or housekeeping unit.
12. Line – Refers to water or sewer collector or transmission conduit.
13. Living Unit – Also referred to as equivalent unit or dwelling unit. A living unit is assumed to discharge 250 gallons of sewage per day to the sewerage system.
14. Lot – When used in these Rules, also refers to parcel or tract or other similar land Area.
15. Planning Commission - The City of Brunswick Planning Commission.
16. Pumping Station - Pumping units with appurtenances and structures to convey water or sewage under pressure to transmission or interceptor facilities.
17. Service Charge - Those costs for a system directly attributable to and directly related to the volume of water used by or the volume of sewage discharged by the user. Also known as the "user charge" or "usage charge".
18. Full-Time Inspection - This type of inspection will include the following:
Excavation of the pipe trench from the system connection itself to the dwelling, the trench foundation, the proper line and grade, the proper materials and workmanship, the backfilling and compaction of the trench to its full height.
19. Modified Full-Time Inspection - This type of inspection will include proper materials and workmanship, the backfilling and compaction of the trench to a point.
20. Industrial pre-treatment of sewerage—as defined by Ordinance No. 376.

SECTION III. THE ESTABLISHMENT OR EXTENSION OF WATER OR SEWER SYSTEMS--GENERAL

- A. Before the City will consider the establishment or the extension of a water or wastewater system to a development area, said area must have the proper classification in the Frederick County Water and Sewer Plan.
- B. The City will not consider an application for water or wastewater service if the application requires service greater than allowed by the zoning then applied to the develop area.
- C. The applicant shall enter into a Public Works Agreement with the City to cover all particulars relevant to the proposed community water and wastewater facilities.
- D. The applicant shall guarantee payment of all costs that are to be levied against the applicant for provisions of service not covered by Section IV in a manner approved by the Mayor and Council. Said costs shall:
 - 1. Include a contingency of fifteen percent (15%) of the construction cost as determined by the contract award, to permit minor modifications and assure completion of the proposed project. Any unused funds shall be returned to the applicant at the completion of the construction for the particular project.
 - 2. Be reduced by the amount of any federal and state grant monies received by the City for the specific project.
 - 3. Include advance payment of the estimated cost of future abandonment of any temporary facilities, provided, however, that any funds deposited for such purpose in excess of the actual cost of said abandonment shall be refunded to the applicant. Payment will be made only upon verification and application to the City by the party entitled thereto.
- E. Construction of water and/or sewer facilities:
 - 1. Will be sized to serve the drainage area or system area in accordance with City requirements or the Water and Sewer Plan if indicated in the Plan; and
 - 2. Will be funded by the applicant to the extent of his requirements. The cost of over sizing will be borne by the City or other users unless otherwise contractually stated.
- F. The City shall design or have designed the community water and/or wastewater facilities and shall attempt to obtain all required approvals, permits, and off-site rights-of-way, and easements.

- G. The City recognizes the right of the applicant to design and construct off-site facilities. Where it is necessary to procure property or easements, which are off-site rather than on a site controlled by the applicant, the City will aid in said procurement as permitted by law, and where the same is deemed for a public rather than private purpose.
- H. The applicant shall provide to the City all required on-site properties and easements before the proposed project is advertised for construction bids.
- I. The City will review all contracts and inspect all construction at the expense of the Developer.
- J. All design and construction shall be in accordance with the latest approved "City of Brunswick Design Manual" and "Standards and Specifications" for water and wastewater construction as used by the City of Brunswick Department of Public Works and City Engineer.
- K. Design and construction contracts may allow "Special Provisions" which address unique, unusual, or special conditions found within the area where work is to be performed.

SECTION IV. THE EXTENSION OF WATER OR SEWER SYSTEM—APPLICANT DESIGN AND CONSTRUCTION

- A. The City will supervise the design and construction of new facilities or extensions, or additions to existing facilities that are permitted to be designed and constructed by the applicant.
- B. When the applicant receives authorization from the City to design and/or construct facilities for their development area; the following will apply:
 - 1. Applicant designed facilities shall be designed by a Registered Professional Engineer of the applicant's choosing and approved by the City.
 - 2. The applicant shall submit preliminary documents consisting of plans, specifications, and design calculations to the City for review and approval.
 - 3. The City shall review the preliminary documents and notify the applicant in writing of its evaluation of the proposed project within 45 days of receipt.
 - 4. The applicant shall submit completed final plans and specifications to the City for its approval.
 - 5. Prior to the award of a contract for the construction of the facilities, the Developer and the City will enter into a Public Works Agreement guaranteeing that all applicable costs will be borne by the Developer:

- a. The Agreement will include a guarantee for covering the first two years actual operating cost of the new system.
 - b. Revenues received from users during the first two years will reduce the guarantee required to be on hand.
6. The Developer will be responsible for paying the difference, if any, between the revenues and the actual cost for operating the system until such time as the system meets one of the following requirements:

For System with a Max

<u>% of Capacity Used</u>	<u>Design Capacity of</u>
70	.050 MGD
50	.100
40	.200
30	.250

If in the opinion of the Mayor and Council the system is financially able to become a part of the City water and sewer system:

- a. The minimum service charges to the property owners shall be no lower than that charges to users in the City water and sewer system.
 - b. The Developer may choose to subsidize part of the operating cost of the system beyond what is at a minimum required above.
 - c. The Developer contributions to the system operating budget will not be used to recover costs for future capital improvements, over sizing of facilities to the benefit of other developers or the City, or for other expenditures not usually a part of the operating budget of the City water and sewer system.
7. The City will establish a system budget and set service charges prior to the occupancy of the first structures.
8. The applicant must construct all water and sewerage facilities in accordance with the approved plans, specifications, and the City of Brunswick Design Manual and Standards and Specifications. The Developer with consent of the Department shall advertise and award contracts for construction of the proposed facilities in accordance with approved plans, specifications, and the City of Brunswick Design Manual and Standards and Specifications. The inspection of all construction shall be by a representative of the City.

C. ON-SITE construction cost recovery policy for funds advanced by the applicant: Funds advanced or paid by the applicant for construction of lines and/or facilities required to serve his development area will not be eligible for recovery unless as modified elsewhere in this Ordinance.

D. Construction cost recovery policy for funds advanced by the applicant:

1. Funds advanced or paid by the applicant for construction of lines or facilities required to serve his development area will not be eligible for recovery.
2. If an applicant pays the costs of the design and construction of a system, improvement, facility, or line extension which:
 - a. was designated in the current approved Capital Improvement Plan (CIP); and
 - b. was designated for funding, not developer funding, in the approved CIP; and
 - c. was previously included in the computation of capacity fees adopted by the Mayor and Council and collected by the City; and the City completes a fiscal analysis which demonstrates a financial benefit to the City Water and Sewer Enterprise Fund taking into account:
 1. the cost to the Fund to operate and maintain the infrastructure sooner than planned; and
 2. the consumption of capacity by the applicant's proposed use and the fiscal impact that may result due to the need to accelerate other CIP project(s) to provide additional capacity;

then upon verification by the City Accountant of the fiscal benefit to the Water and Sewer Enterprise Fund, DPW shall recommend to the Mayor and Council what, if any, appropriate credit against the water and sewer connection charges to be paid by the applicant may be included in a Public Works Agreement between the applicant and the City. The total of the credits allowed cannot be greater than the amounts approved in the PWA or exceed the amount of funds advanced by the applicant. The applicant is not guaranteed full reimbursement of costs.

SECTION V. BENEFIT ASSESSMENTS FOR PUBLIC WATER AND SEWER FOR SUBDIVISION LOTS/LOTS OF RECORD WITHOUT GUARANTEES

- A. The provisions of this Section apply only to lots in recorded subdivisions/lots of record Presently without provision or guarantee previously to provide for public water and sewer

and which lots cannot be fully developed without public water and sewer. This situation will not occur in the future since subdivision lots cannot now be recorded under present regulations without sufficient provision or guarantee for public water and sewer, where needed.

- B. With the approval of the Planning Commission and the Department of Public Works and City Engineer, whenever the owner of one or more lots wishes to extend the public water and/or sewer line to his lot or lots, the owner shall pay all of the initial cost for the extension of the City-owned water and/or sewer lines to service his lot or lots. However, the owner of each lot that can be directly serviced due to the extension of the main water and sewer lines shall be assessed a proportionate amount to help pay for the needed extensions of those lines.
- C. Upon approval and under the direction of the Department of Public Works and City Engineer, the procedure will be as follows:
 - 1. Main water and sewer lines and house laterals will be installed and initially paid for by the developer as part of the cost of construction.
 - 2. Upon conditional acceptance of the lines by the Department of Public Works and City Engineer, the total cost of the project would be finalized. Eligible costs will include construction of water and sewer lines and laterals, surveying, engineering design, Letter of Credit, and inspections. The developer must provide adequate proof of expenses for inclusion in the calculation.
 - 3. A per lot assessment will then be calculated based on the number of lots eligible to be directly served due to the extensions to the developer's lot.
 - 4. Notice will then be sent to the last known address of the affected lot owners, notifying them of a public hearing to attempt to legally establish the benefit assessment for each lot owner.
 - 5. After the benefit assessment is set, another notice will be sent to each lot owner giving them two options:
 - a. To pay the entire assessment, without interest within thirty (30) days of this notice;
 - b. To pay the assessment through ten (10) annual equal payments with interest; the entire remaining amount may be paid off any time sooner than ten (10) years with interest only to date of final payoff. Delinquent interest would be computed on all unpaid bills after thirty (30) days. These annual assessments shall be a first lien on the property against which they are assessed subject only to prior State, County and City taxes.
- D. Over sizing of water and/or sewer lines shall be considered as a public service and will be funded from water/sewer connection monies.

- E. In addition, for each presently recorded, undeveloped subdivision lot, without guarantee for water and sewer, there will shall be an additional One Hundred Fifty Dollar (\$150.00) fee payable at the time of connection to the water system to cover the initial cost of fire hydrants to be provided on that system.
- F. The original owner/developer who paid the initial costs for the extensions of the water and sewer lines to his property as provided above will be reimbursed proportionately through the Division of Public Works as it collects these benefit assessments with or without interest over the above-mentioned ten year period. However, the Mayor and Council and its Department of Public Works and its other divisions, agencies, agents, and employees shall not be responsible to the original owner/developer for any of these reimbursements directly nor for any interest, other than relaying the interest as provided above.

SECTION VI. FAILING WATER OR SEPTIC SYSTEM

- A. In the instance where there is a property with a failing water or septic system as verified by the County Health Department, a line may be extended to service the property under the following provisions:
 - 1. The cost will be borne by the affected properties.
 - 2. Pumping stations or lines to facilities other than lines shall also be funded by the affected properties.

SECTION VII. DESIGN AND CONSTRUCTION OVERHEAD FEES

The design and construction overhead fees will be fixed and collected, and from time to time revised or amended by Resolution of the Mayor and Council. The initial overhead fee must be provided by the applicant in advance of the Notice to Proceed with design and/or construction. A final overhead fee will be based on actual design and/or construction contract charges. The final overhead fee will be based on the same rate schedule used to determine the initial overhead fee. If the final overhead fee exceeds the initial overhead fee paid, the applicant will provide the City with the additional funds required prior to approval and acceptance of the facility(ies). If the final overhead fee is less than the initial overhead fee paid, the City will forward the excess amount to the applicant prior to approval and acceptance of the facility(ies). The overhead fee is intended to cover City charges for review of design, inspection of construction, administrative, legal, and consultant services directly related to accomplishing the design and/or construction of the facilities. It is the intent of this Section that the fee schedule described herein is to be applied to design and/or construction contracts whether said contracts are entered into by the applicant or by the County on behalf of the applicant requesting service (See Appendix for current fee schedule).

SECTION VIII. INSPECTION

- A. If the property is to be connected to a City-owned water and/or sewer system, the applicant must apply for a Connection Permit at City Hall, pay the connection charge, pay the inspection fee charge, and pay the Certificate of Use and Occupancy Fee as established by resolution or ordinance of the Mayor and Council.
- B. The specifications in the County Plumbing Code shall be followed for water and sewer line construction from the property line to the structure.
- C. The applicant must notify the Department of Public Works at 834-6270 when the construction will be started and at what location. The notification must be received twenty-four (24) hours prior to the commencement of construction.
- D. Type of Inspection:
 - 1. The Department will provide at least modified full-time inspection on all projects and it will be the responsibility of the inspector on the project to approve or disapprove the connection (see Appendix D, Fee Schedule).
 - 2. If, at the discretion of the Department, it is determined that full-time on-site water and/or sewer inspection is needed, a Modified Public Works Agreement shall be required instead of the connection fee schedule. Said Modified Public Works Agreement shall be accompanied by a contractor's proposal and the inspection fee estimated by the construction contract fee schedule, Appendix D. Final adjustment of the inspection shall be based on the inspector's total time plus fringes times the current overhead factor.
- E. If approved, the Department shall be responsible for sending a signed copy of the Connection Permit to the Plumbing Department and a signed copy to the Department of Public Works Administration office.
- F. As stated in "A", if the property is to be connected to a City owned water and/or sewer system, the Certificate of Use and Occupancy fee established and amended from time to time by the Mayor and Council, by resolution, will be paid at the time the applicant applies for a Connection Permit.
- G. The Building Permit will signify that the Certificate of Use and Occupancy fee has been paid.
- H. After all the work related to the structure is completed, the Permits and Inspection Department will forward the applicable Certificate of Use and Occupancy to the Department for final inspection.

- I. The Department will make a final inspection of the sewer cleanouts, curb stop boxes or meter vaults, and meters.
- J. If everything is in order, the Certificate of Use and Occupancy shall be approved by the Department and forwarded to the Department of Permits and Inspection.

SECTION IX. CONNECTION TO THE WATER OR SEWER SYSTEM

- A. All properties within the designated service area of a water or sewer system shall connect to the system and pay such costs as required by these Rules and Regulations.
- B. When any water or sewer system or part thereof is declared by the City to be complete and ready for the delivery of water or the reception of sewage, every abutting property owner, after due notice by Certified Mail, shall make a connection of all spigots, hydrants, toilets, and waste drains within 120 calendar days from the date said system is declared ready for service.
- C. When a lot is created within the service area after a system is declared ready for service, the property owner shall be responsible for paying all costs of connection to the system, including the cost of bringing the service to the property line.
- D. When a property has sewer service, the owner or the lessees of the property may not connect sump pumps, roof leaders, roof drains or area drains, or any other device that diverts storm water into the sewage system. If such connections to the sewer system are found, they shall be immediately disconnected.

SECTION X. ALLOCATION OF CONNECTIONS

A. General Provisions

- 1. It is determined to be necessary to have a procedure where sewer or water connections, because of their scarcity within a system, must be allocated in a manner that provides for an equitable distribution based upon the City's growth and fiscal management policies.
- 2. If a parcel is subdivided for single family attached or detached residences within a water and/or sewer service district, each lot created will be allocated a water and/or sewer connection subject to paragraph 5, 6a, 6c and 9 of Section X.A. If a parcel is subdivided for multi-family, commercial, or industrial use, each lot created will be allocated two water and/or sewer connections and subject to the conditions stated in paragraphs 5, 6a, 6c and 9 of Section X.A. The connection charges are to be either: Purchased; guaranteed by money in escrow; or guaranteed by a Letter of Credit, prior to the recording of the subdivision plat. If not purchased prior to recordation, then the lot owner must pay the connection charge within 30 days of the recording of the plat, unless otherwise agreed in a multi-year tap agreement.

3. The total connections available will be reduced by connection for public service and health hazard areas which will have priority over all other land use classifications, provided these projects are contained in the most recently adopted Capital Improvements Program.
4. The general policy will be to allocate the remaining connections on a "first-come, first served" basis.
5. All allocations of connections are to be assigned to the property and remain with the property unless they are placed back into the allocation pool.
6.
 - a. Allocated taps are to be used within two (2) years unless a Multi-Year Agreement is in effect, in which case the terms of that Agreement apply? Taps for Commercial and Industrial or Institutional use, that have not been used within the above stated two (2) year period, may be rescinded by the Mayor and Council. Department of Public Works Administration will notify the Mayor and Council of any unused taps after the two (2) year time period and said Department's recommendation concerning the taps will be placed on a regularly scheduled Mayor and Council's Public Agenda.
 - b. The holder of record of the allocated taps will be notified thirty (30) days prior to the end of the two (2) year period that the allocation is about to expire and the time date and location of his hearing on the matter before the Mayor and Council.
 - c. The property for which a tap has been allocated will be assessed the minimum water and/or sewer charge beginning one (1) year after payment of the tap charge if a physical connection to the water and/or sewer system has not been made.
 - d. Taps rescinded or returned by the holder of record will be returned to the allocation pool.
7. Preference on allocations will be given to projects that have received allocations in previous years and can demonstrate that the connections are being used in a timely manner.
8. The Mayor and Council may enter into Multi-Year Agreements to assure continuity of a project. All Multi-Year Agreements must go before the Mayor and Council for its approval. At the option of the Mayor and Council, it may enter into a Multi-Year Agreement with a landowner and request an irrevocable Letter of Credit for at least fifty percent (50%) of the cost of the taps to be allocated. When the allocation of taps is made as part of the expansion or establishment of a water or sewage treatment system, the City will require that the recipients of the allocation enter into a Public Works Agreement, which may include a Multi-Year Tap Allocation Schedule. The Public Works Agreement will be secured by a Letter of Credit or cash deposited with the City to assure that the cost of the Developer's share of the taps is guaranteed to the

City. The Public Works Agreement and the financial guarantee will be required after the design of the water and/or sewage facilities has been approved by the Department of Health and Mental Hygiene and prior to bidding the construction for the aforesaid facilities. No allocation of taps is complete without the Mayor and Council approved Public Works Agreement and financial guarantee and no tap fees will be collected or connection permits issued without the aforesaid agreements being approved by the Mayor and Council.

9. The cost of connections will be as per the schedule in the Appendix.
10. The Developer has thirty (30) days from time of official written notification of his allocation to purchase the taps he has been allocated for the first calendar year. Failure to purchase these taps within the allotted time may void the Agreement or the City may choose to draw on any financial guarantees that have been established between the Developer and the City.
11. Allocations will only be made for developments that have met all of the following requirements:
 - a. Zoning of the property has been completed.
 - b. The property owner has a sewer classification of S-4, S-3, S-2, - S-1, and/or a water classification of W-4, W-3, W-2, W-1.
 - c. Where necessary, the applicant must have received commitment for water or sewer service from the proper utility.
 - d. Residential property: The property has an approved preliminary plan; or, if only a single lot, has an approved site plan, or recorded plat, whichever will best establish the number of taps for allocation and a Zoning Certificate Application.
 - e. Industrial/Commercial property: A commercial or industrial property will be allocated connections on the basis of the use identified for the property. Any connections above this number will be based upon actual user's plans for construction.
 - f. A Water and Sewer Tap Application shall be submitted with a processing fee approved by the Mayor and Council to request the allocation of water and/or sewer taps. Unless the option in paragraph 8 is utilized, taps must be purchased within thirty (30) days or they will be placed back in the allocation pool.

B. Lots of Record

Lots of Record that have filed for a City Zoning Certificate:

1. The allocation of sewer taps by the Mayor and Council will be on a "first-come, first-served" basis.
2. Of the sewer and water taps available after January 1, 2004, at least an appropriate number established by resolution by the Mayor and Council upon completion of a Lot of Record Study. Taps will be available exclusively for lots that are recorded among the Land Records of Frederick County as of October 1, 1967.
3. Each year when the allocation of taps is reviewed by the Mayor and Council, any deficit from the Lot of Record Reserve will be made up from the existing pool of available taps.
4. Application must be made for both a water and sewer tap.

SECTION XI. CONNECTION CHARGES

- A. The rates for connection to the systems will be fixed and collected and from time to time revised or amended, by resolution of the Mayor and Council (see appendix for the current connection charges).
- B. Except as provided herein, connection charges are due and payable prior to issuance of a (1) City Zoning Certificate, (2) a County Building Permit for new construction, or (3) a County Plumbing Permit for modifications to an existing structure.
- C. Extended payment of industrial or business connection charges:
 1. When the required number of connections for an industrial or business property equals or exceeds 15 "taps", the applicant may elect to pay connection charges over a ten-year period of time, in accordance with the following provisions.
 2. Applicant shall pay 10% of the connection fees, together with the submission of remaining balance of the connection fees, plus interest on the outstanding balance over the agreed upon term at 1% per annum above the City's cost of borrowing.
 3. If the applicant is the owner of the real property upon which the improvements are to be constructed, the owner shall execute a payment agreement in a form suitable for recordation in the land records, reflecting the payment terms agreed upon. The payment agreement shall be executed and acknowledged by all parties having an ownership or equitable security interest (e.g. Mortgagee or trustees under a deed of trust) in the property and shall be accompanied by a title opinion verifying the ownership of the encumbered property.

4. If the applicant is not the owner of the property, the applicant shall provide a letter of credit for the remaining connection fees due plus interest provided for in paragraph 2 above, with a date of expiry corresponding to the term of the payments.
5. After receipt and approval of all required documents, the City Zoning Certificate and County Building Permit or Plumbing Permit will be issued.

D. Adjustment of connection fee:

1. For applicants who purchase 15 or more water taps at the full commercial rate, and elect to pay for them over a period of time under Section C above, the Department of Public Works will initiate a reevaluation of the connection fees on the following basis:
 - a. one time on the fifth anniversary of the issuance of the use and occupancy permit for the structure;
 - b. if, for a period of three years,
 - (1) The facility has been occupied at a level equal to 90% of the ultimate planned capacity of the facility, or
 - (2) The facility has not been occupied at a level equal to 90% of the ultimate planned capacity, and
 - I. The structure is occupied by one user on a year round basis, and
 - II. On each anniversary of the issuance of the Use and Occupancy Permit for the structure, the applicant supplies verifiable occupancy data to the Bureau;
 - c. no additional fixtures have been added to the structure during the 5 year period; and
 - d. applicant has not purchased additional taps in lieu of onsite pretreatment facilities.
2. Actual flow will be measured and the average of the three highest years of flow (not necessarily consecutive years) will be compared to the number of taps purchased initially, allocating capacity at the rate of 180 metered gallons of water flow per day per "tap" for the purposes of this calculation. For the purpose of comparing actual flow to allocated capacity, the Department of Public Works will use the occupancy data supplied by the applicant to extrapolate the measured flow to a level, which corresponds to 100% occupancy.

- a. If the actual metered water flow exceeds the allocated flow corresponding to the number of taps previously purchased, the applicant or current property owner will be billed for the additional number of taps to be purchased to accommodate the actual level of use, at the rates in effect at the time of the adjustment. Payment may be made immediately or an adjustment made to the remaining payments due.
 - b. If the actual metered water flow is less than the allocated flow corresponding to the number of taps previously purchased, the applicant or current property owner will be reimbursed by adjustment to the remaining payment due, for the number of taps purchased above the number needed to accommodate the actual level of use. Adjustment shall be made at the same rates charged when the taps were purchased.
 - 3. Applicants who purchase sewer taps only are not eligible for adjustment of connection fees.
- E. Commercial, industrial and institutional sewer connection charges.
- 1. Non residential sewer charges:
 - a. The charge per fixture unit value will be based upon the fixture unit chart (see appendix) and will be required to be paid prior to the issuance of a building permit, or as provided for in C. above.
 - b. Fire, rescue and ambulance companies as recognized by the Mayor and Council will not be charged a connection charge.
 - c. Churches will be charged one residential connection charge per structure connected to the systems, excluding structures containing daycare, preschool or schools. Structures used for school purposed shall be charged per E.1.a. above.
 - 2. Non residential water charges: connection charges shall be one hundred percent of the sewer connection charges plus meter and drop-in costs.
- F. The connection charges apply where a new system is constructed or the extension of an existing system has been declared ready for service and adjoining property owners are required to connect.
- G. Where non-City funds have been made available to pay for all or part of the capital cost of the system, the Mayor and Council may, by resolution, reduce the connection charge.
- H. On any single parcel of land classified as commercial and having multiple buildings or multiple uses within one building, the first residential living unit will be billed for sewer

charges at the prevailing residential rate and any additional living units will be billed at the prevailing commercial rate.

SECTION XII. SERVICE CHARGES

- A. The rates for the use and service of the system will be based upon an approved budget adopted by the Mayor and Council after the required budget hearings (see Appendix for current service charges).
- B. The Mayor and Council may set a base or minimum service charge applicable to a single or any combination of City water or sewer systems.
- C. Service Charge - Billing:
 - 1. For new construction the billing of service charges will begin on the first day of the second month following the date of approved connection, or on the date of transfer, whichever occurs first.
 - 2. Where a connection to an occupied or previously occupied structure is made, charges will begin on the first day of the month following the date of approved connection.
- D. Water Service Charges - Specific:
 - 1. Where water is metered, the service charge will be based upon the meter reading or the minimum charge for the billing period, whichever is greater.
- E. Sewer Service Charges - Specific:
 - 1. Fire, rescue and ambulance companies as recognized by the Board of County Commissioners will be assessed two times the annual service charge of the system.
 - 2. Churches will be assessed one service charge per each physical structure connected to the system.
- F. Meter Reading:
 - 1. Automated electronic water meter reading shall be utilized by the City for residential customers.
 - 2. Implementation:
 - a. New residential developments: All residential developments utilizing public water shall install appropriately sized electronic automatic read meters for each dwelling unit as identified by the Department of Public Works specifications.

- b. Existing Residential Developments: The Department of Public Works will pursue the replacement of existing residential meters, with the electronic automatic read meters at the City's expense, unless a new service is requested.

SECTION XIII. BENEFIT ASSESSMENT

- A. An annual benefit assessment charge may be established and amended by resolution for each water and wastewater service area by the Mayor and Council.
- B. The benefit assessment charge will be applied to every lot of record within the service area on an equal basis, within its classification or sub-class, regardless of the lot frontage or land area of the property.
- C. When it is determined that a water and/or wastewater system is declared ready for service, every lot of record in the service area, whether improved or unimproved, which can be served, will pay a benefit charge commencing on the date the water and/or wastewater system are declared ready.
- D. All lots of record in the Residential, Industrial or Business (Commercial) classification will be assessed even though a line may not extend along the full length of any property boundary.
- E. The church property will be assessed based on one equivalent unit. Any additional structures will be assessed one equivalent unit per structure connected to the system unless being used as nursery/day care center, which will cause the assessment to be based on an actual equivalent unit count.

SECTION XIV. APPEALS

- A. Written appeals to these Regulations will be made to the City Administrator.
- B. Written appeals from the decision of the City Administrator will be made to the Mayor and Council.

SECTION XV. MISCELLANEOUS PROVISIONS

- A. No person, organization or agency may withdraw water from a system without the written permission of the Department.
- B. Anyone desiring to use water from a City system will contact the Department for permission. A charge will be made for said withdrawal based upon the amount used.

- C. No person will cut, break, pierce or tap any water or sewer line or appurtenance thereof without written permission from the Department.
- D. Maintenance of Access to Water Metering Equipment: The Department shall have ready and unencumbered access to its water metering equipment located on the customer's premises. Property owners or others using the property may not tamper with, cover, displace, relocate, or otherwise obstruct the Department's metering facilities. The Department shall have the right to remove, trim. Excavate, or take any other steps as may be needed to gain access to metering facilities within public right-of-ways and on the property served by the Department. Costs associated with such steps may be billed to the owner of the property, or other person(s) obstructing access.

APPENDIX A
CAPACITY CHARGES
SEWER CHARGES

Residential Connection

\$3,956.00 per living unit

Commercial, Industrial, Institutional Connection

\$396.00 per fixture unit based on the Fixture Unit Chart \$3,956.00 per living unit in a multi-family structure

\$3,956.00 for each mobile home/pad having service in a mobile home park

Fire, Rescue and Ambulance Companies

No charge

Churches

\$3,956.00 per physical structure connected to the system

WATER CHARGES

Residential Connection

\$3,146.00 plus meter and drop-in costs

Commercial, Industrial, Institutional Connection

\$315 per fixture unit based upon fixture unit chart, plus meter and drop-in costs

1. Drop-in costs to be invoiced on a time and materials basis if in excess of two (2) hours.

APPENDIX B
WATER METER FEES

EQUIVALENT WATER METER CHART

RESIDENTIAL AND COMMERCIAL WATER METER (AMR SYSTEM)

<u>WATER METER SIZE</u>	<u>EQUIVALENT METER UNIT</u>
5/8"	1.0
3/4"	1.1
1"	1.4
1 1/2"	1.8
2"	2.9
3"	11.0
4"	14.0
6"	21.0
8"	29.0
10"	38.0
UNIMPROVED LOT OR PARCEL	1.0
NON-CONNECTED LOT OR PARCEL	1.0

FIRE SERVICE WATER METERS

MODEL

Neptune FH Trident Turbin AWWA II 3"

Larger meters to be requested with supporting data and purchased through Public Works.

ALL WATER METERS SUPPLIED BY THE CITY OF BRUNSWICK

***Cost of meter determined by current supplier price plus Administrative, Inspection and Overhead Fee.**

***Fees do not include meter installation. This work must be funded by building owner and may be installed by Public Works at the sole discretion of the City.**

Manual Meter Reading Fee	\$30.00 per quarter
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APPENDIX B

Fixture Unit Chart
For
Equivalent Units
For
Commercial, Industrial, and Institutional Properties
For
Sewer Connection Charges and Sewer Service Charges
When Individual Water Usage Not Metered By City of Brunswick Public Works

<u>Fixture Type</u>	<u>Trap Size</u>	<u>Fixture Unit Value</u>
Apartment (per apartment)		10
Bathtub with or without integral shower	1 ½ or 2	4
Combination sink and tray	1 ½	3
Combination sink and tray w/ food disposal unit	½ separate	4
Dental unit or cuspidor	1 ½	1
Dental lavatory	1 ½	1
Drinking fountain	1 ½	1
Dishwasher (commercial)	1 ½	6
Dishwasher (domestic type)	1 ½	4
Eyewash	1 ½	1
Floor drain ¹	2	3
Floor drain	3	5
Floor drain	4	6
Floor drain	6	8
Floor drain (demonstration fume hood)	2	3
Floor sink	3	6
Floor sink	4	7
Fume hood with drain	2	2
Trench drains (every 3' min. 9')		1
(per each trench drain)		
Kitchen sink (domestic type)	1 ½	4
Kitchen sink (domestic type w/ food disposal unit)	1 ½	5
Lavatory	1 ½	2
Lavatory tray (1 or 2 compartments)	1 ½	3
Print washer		3
Processing sink		3
Shower, 2 heads		8
Shower, 3 heads		12
Shower, 4 heads		16

¹ Floor drains used to collect water from a series of fixtures will be charged by the fixture units of the fixtures or by the drain size, whichever is greater.

<u>Fixture Type</u>	<u>Trap Size</u>	<u>Fixture Unit Value</u>
Shower stall (domestic type)	2	4
Showers (group) per head w/2 or more		4
Sinks: Bar w/ disposer	1 ½	3
Bed pan		6
Classroom		3
Mop	2	3
Pot, scullery, etc.	1 ½	4
Print		3
Service	3	3
Surgeon's	1 ½	3
Three-compartment		6
Trailer Park (per pad site)		10
Urinal: Pedestal	3	10
Wall or stall	2	5
Trough (for 18 inch length)		2
Ventilator	2	3
Wash sink (circular or multiples		
Each set of faucets – or 12")	1 ½	2
Washing machine	1 ½	4
Water closet	3	10
Water cooler, electric with drain	1 ½	1

1. Fixtures and other connections which are not included in this list will need to be rated by the Department upon request for installation by a user. Ten (10) fixture unit values would equate to one residential house or dwelling.
2. In cases where fixture units are required, applicant fixture count is required to be submitted, with highlighted plans, as part of connection application.

APPENDIX C
DESIGN CONTRACT
REVIEW, ADMINISTRATIVE AND OVERHEAD
FEE SCHEDULE

- A. Review fee for transmission or collector lines will be assessed at \$250.00 per page of the submitted plans.
- B. Review fee for facilities other than lines will be assessed at \$500.00 per page.
- C. A standard page is considered to be 24" x 36".
- D. The charge will be assessed and collected based upon the initial submission of a complete set of plans prior to the commencement of any review work.
- E. In the case of redesign or more than two review submissions, the new submission fee will be assessed.

APPENDIX D

INSPECTION FEE SCHEDULE (CONSTRUCTION CONTRACT)

Review, Administrative and Overhead Fee Schedule

Construction Contract	Cumulated Total	Add Per \$1,000.00	Cumulated Total Charge	Effective Rate
Up to \$ 1,000	\$ 1,000	\$ 300.00		(30.0%)
Next \$ 2,000	\$ 3,000	\$ 250.00	\$ 800.00	(26.6%)
Next \$ 3,000	\$ 6,000	\$ 200.00	\$ 1,400.00	(23.3%)
Next \$ 4,000	\$ 10,000	\$ 150.00	\$ 2,000.00	(20.0%)
Next \$ 40,000	\$ 50,000	\$ 130.00	\$ 7,200.00	(14.2%)
Next \$ 50,000	\$ 100,000	\$ 110.00	\$12,700.00	(12.7%)
Next \$ 100,000	\$ 200,000	\$ 90.00	\$21,700.00	(10.9%)
Next \$ 100,000	\$ 300,000	\$ 70.00	\$28,700.00	(9.6%)
Next \$ 150,000	\$ 450,000	\$ 50.00	\$36,200.00	(8.0%)
Next \$ 150,000	\$ 600,000	\$ 40.00	\$42,200.00	(7.0%)
Next \$ 200,000	\$ 800,000	\$ 30.00	\$48,200.00	(7.0%)
Next \$ 200,000	\$1,000,000	\$ 20.00	\$52,200.00	(5.2%)
Over \$1,000,000		\$ 10.00		

1. Fees to be paid with application for connection. If contract exceeds original estimate, additional fees are payable with change order. Final acceptance shall be withheld until all inspection fees are paid.
2. In cases where more than one follow-up inspection is required for the same work, additional inspections will be invoiced on a time and materials basis.

APPENDIX E
LATERAL INSPECTION
FEE SCHEDULE

Water or Sewer Connection Only

TYPE	to 60'	61' - 100'	101' - 200'	201' - 300'	over 300'
Residential*					
Single	\$60	\$70	\$80	\$100	\$200 for all types of connections
Duplex	50	60	70	90	
Townhouse	40	50	60	80	
Multi-Family	30	40	50	70	
Mobil Homes**	25	35	45	65	
Commercial/Indus.	60	70	80	100	
Institutional	60	70	80	100	

Water and Sewer Connection

TYPE	to 60'	61' - 100'	101' - 200'	201' - 300'	over 300'
Residential*					
Single	\$60	\$75	\$85	\$100	\$200 for all types of connections
Duplex	50	65	80	95	
Townhouse	40	55	70	85	
Multi-Family	40	40	70	85	
Mobile Homes**	25	40	55	70	
Commercial/Ind	75	85	100	120	
Institutional	75	85	100	120	

* Farm Buildings to be treated same as single family.

** Mobile Homes in a Mobile Home Park. Otherwise the Mobile Home is treated the same as a single family residence.

There will be a \$50 false alarm charge made for calls for inspection when the job is not ready for inspection.

